

Attorney's Docket No.: 13625-002001/107809

Amendments to the Drawings:

The attached replacement sheets of drawings replaces the original sheets including Figs. 1-3. Pursuant to Rule §1.6(d)(4), Applicant is submitting black & white formal drawings via facsimile.

Attachments following last page of this Amendment:

Replacement Sheet (3 pages)

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REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

The drawings stand objected to as allegedly not being adequately labeled. In response, a new set of drawings is provided which includes additional labels.

The objection to claim 10 has been obviated herein by amendment.

Claims 1-17 stand rejected under 35 USC 112, first paragraph, as allegedly failing to comply with the written description requirement. In response, these claims have been amended to obviate this interpretation.

The term "game round" has been removed, and replaced by "game". With all due respect, the objection to "in an invisible manner" is incorrect. Page 6 of the specification lines 23-25 describes that once the starting parameters have been set, an initial run of the simulation by the processor 42 takes place without the initial run being displayed. Clearly, since this is taking place without the run being displayed, it is "invisible". With all due respect, the invisible operation was clearly disclosed. However, and in order to obviate the rejection, the claims have been amended to remove the term "in an invisible

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manner" and to substitute "without displaying the outcome of the initial simulation".

Claims 1-9 stand rejected under 35 USC 112, second paragraph, as being indefinite. In response, these claims are amended herewith for definiteness.

Claims 1-9 stand rejected under 35 USC 101, as allegedly being directed to non-statutory subject matter. This contention is respectfully traversed. Claim 1 defines a gaming machine with a display and a game controller. This is a structural limitation, and hence the display and controller provides structural features thereby obviating, by itself, the rejection.

In addition, Claim 1 recites an adjustment means "for adjusting the starting parameters used by the simulation system...". According to the interim guidelines for examination of patent applications, beginning at page 39, anything that transforms or reduces an article to a different state or thing is patentable subject matter. While physical transformation is only one example of a useful application, clearly the adjustment means adjusts the starting parameters, and thus adjusts these parameters to a different state or thing. As such, the rejection based on 35 USC 101 is, with all due respect, respectfully traversed.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific

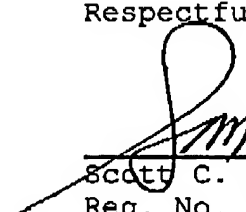
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rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

This should obviate all remaining rejections in the case, and a notice of allowance is respectfully requested.

Please apply the \$120 one month extension of time fee, and any other applicable charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: January 6, 2006  
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